

Jordan

Labour Code, Law No. 8 of 1996. Dated 2nd March, 1996.

Chapter VIII: Organization of Work and Leave Time

Section 55

Any employer having ten or more workers in his employment shall, to organize work in his establishment, draw up internal regulations stating daily and weekly work and rest periods, work offenses, and penalties and measures taken to that effect including dismissal, as well as the manner in which such measures are implemented and any other details relevant to the nature of the work of the establishment. Such internal regulations shall be submitted to the Minister for ratification and shall be in force from the date of ratification.

Section 56

Normal working hours shall be eight hours a day and shall not exceed in any one week forty eight hours over a maximum of six days, excluding meal breaks and rest periods. Working hours shall not exceed that limit except in cases stipulated by this Code.

Section 57

A worker may be employed by an employer in excess of normal working hours, provided that he is paid overtime in accordance with this Code, in any of the following cases:

- (1) to perform the annual inventory, finalize the budget or close the accounts of the establishment, or to prepare for a sales period, provided that such work shall not account for more than thirty days a year and that maximum effective hours of work on any such day shall not exceed ten hours.
- (2) to avoid losses in goods or any perishable material, for the prevention of any technical hazards related to a technical type of work or to receive, deliver or transport specific material.

Section 58

The provisions of sections in this Code relating to working hours shall not apply to persons occupying supervisory or managerial positions in any establishment, persons who work, in some cases, outside the

establishment or those whose duties involve travel within the Kingdom or abroad.

Section 59

- (1) A worker may be employed, with his consent, in excess of normal working hours, provided that he is paid overtime at a minimum rate of 125% of his regular remuneration.
- (2) If a worker works on his weekly rest day or on religious or official holidays, he shall be paid overtime at a minimum rate of 150% of his regular remuneration.

Section 60

- (1) Friday shall be observed as the day of weekly rest unless the nature of work requires otherwise.
- (2) A worker may, with the approval of his employer, accumulate his weekly rest days to use them all together as leave, for a period not exceeding one month.
- (3) Weekly rest days shall be paid in full unless a worker is employed on a daily or weekly basis. In such cases, he shall be entitled to receive full remuneration for the weekly rest day if he worked for six consecutive days before the specified rest day, and partial remuneration proportionate to the number of days worked, if he worked for three or more days.

Section 61

- (1) Every worker shall be entitled to annual leave with full pay for a period of fourteen days for every year of employment, unless a longer period is agreed. Annual leave shall be extended to twenty one days where the worker has been in the employment of the same employer for five consecutive years. Official and religious holidays and weekly rest days shall not be counted as part of a worker's annual leave unless they fall in its course.
- (2) If the period of service of a worker is less than one year, he shall be entitled to paid leave, calculated proportionately to the duration of his employment in that year.
- (3) Upon agreement between a worker and employer, a worker's leave for any year may be carried over to the following year. A worker's right to take such delayed leave shall be extinct if he does not request to take it during the year to which it was

carried over. An employer may not refuse the request of a worker to take his delayed leave.

- (4) An employer may, on the first month of the year, set the date of annual leave for every worker, as well as the manner in which it shall be taken, in accordance with work requirements, while taking into consideration the interests of the worker.

Section 62

If a worker's annual leave is not taken all at once, no part taken thereof shall be less than six days long.

Section 63

If a worker's employment is terminated for any reason before he uses up his annual leave, he shall be entitled to receive his remuneration for all remaining leave days.

Section 64

Any agreement by which a worker relinquishes his right to annual leave in full or in part shall be null and void.

Section 65

Every worker shall be entitled to fourteen days a year of sick leave with full pay on the basis of a report by the medical practitioner approved by the establishment. Sick leave may be extended to a further fourteen days with full pay if the worker is hospitalized and with half pay if the worker is not hospitalized but provides a report from a medical commission approved by the establishment.

Section 66

- (1) Every worker shall be entitled to fourteen days a year of paid leave on any of the following grounds:
 - (a) to follow a Ministry approved workers' education course, upon his nomination by the employer or manager of the establishment in coordination with the trade union concerned;
 - (b) to go on pilgrimage, provided that he has been in the employer's service for at least five consecutive years. Such leave shall only be granted once during the worker's period of service.

- (2) Every worker shall be entitled to four months of unpaid leave if he wishes to study in an officially recognized university, institute or college.

Section 67

Every woman worker in an establishment employing ten or more workers shall be entitled to a maximum of one year unpaid leave to bring up her children. She shall have the right to be reinstated at the end of her leave, but shall lose that right if she was engaged in gainful employment during that period.

Section 68

Every worker, male or female, shall have the right to take unpaid leave once for a maximum period of two years to accompany his or her spouse if the latter is moved to a work place in a province other than the one in which he or she normally works or abroad.

Section 69

Upon consultation with the competent official bodies, the Minister shall adopt a decision specifying:

- (1) industries and trades where women's work shall be prohibited;
- (2) hours in which women may not be employed and exceptions thereto.

Section 70

Women workers shall be entitled to maternity leave with full pay for ten weeks including rest before and after delivery. Leave after delivery shall be no less than six weeks long and employment before the expiry of such a period shall be prohibited.

Section 71

After expiry of the maternity leave period prescribed in section 70 of this Code, every woman worker shall have the right, within one year of delivery, to take time off with pay for the purpose of nursing her newborn baby, provided that total time off does not exceed one hour a day.

Section 72

Employers with at least twenty married women workers in their employment shall provide an adequate facility under the care of a trained nurse for the women workers' children under four years of age, if at least ten of them are in such an age group.

Section 73

Subject to the provisions relating to vocational training, no minor under sixteen shall be employed in any form.

Section 74

No minor under seventeen shall be employed for work involving danger, hardship or health hazards. Such types of work shall be defined by decisions issued by the Minister upon consultation with the competent official bodies.

Section 75

The employment of minors shall be prohibited:

- (1) in excess of six hours a day, and minors shall be granted a rest period of at least one hour after four consecutive working hours;
- (2) between eight in the evening and six in the morning;
- (3) on religious and official holidays and on weekly rest days.

Section 76

Before employing a minor, an employer shall request him or his guardian to submit the following documents:

- (1) a certified copy of his birth certificate;
- (2) a report of physical fitness for the proposed work, issued by a specialized physician and certified by the Ministry of Health;
- (3) the guardian's written consent to the work to be undertaken by the minor in the establishment. All such documents shall be kept in a special file together with adequate data about the minor's place of residence, date of employment, occupation, remuneration and leave periods.

Section 77

Any employer or manager of an establishment who violates any provisions of this chapter or any regulations or decisions adopted thereunder, shall be liable to a fine of no less than one hundred and no more than five hundred Dinars. The fine shall be doubled every time the offense is repeated and may not be reduced beneath the minimum rate on any mitigating grounds.

Chapter IX: Occupational Safety and Health

Section 78

- (1) Every employer shall:
 - (a) take the necessary precautions and measures to protect workers against hazards and diseases that may result from work or machines used therein;
 - (b) provide workers with the necessary personal material, such as special clothes, glasses, gloves or shoes, to protect them from work hazards and occupational diseases, and shall instruct them in the use, maintenance, keeping and cleaning of such material;
 - (c) inform workers, before they take up work, of any occupational hazards and precautionary measures to be taken, and shall post up, in clear view, instructions and guidelines about occupational hazards and protection methods, in accordance with the relevant regulations and decisions;
 - (e) provide workers with first-aid material and equipment in the establishment in accordance with standards prescribed by a decision to be adopted by the Minister after consultation with the competent official bodies.
- (2) Workers shall not be liable for any costs resulting from the implementation of paragraph (1) of this section.

Section 79

Upon consultation with the competent official bodies, the Minister shall issue instructions prescribing:

- (1) precautions or measures to be taken in all or any establishments to protect workers and establishments against work hazards and occupational diseases;
- (2) equipment and material to be provided in all or any establishments for the protection of workers from work hazards and occupational diseases and the prevention thereof;
- (3) conditions and standards that shall be met in industrial establishments to provide an environment free of any form of pollution, excessive noise and vibration or any potential health hazard for workers, in accordance with adopted international standards. The above-mentioned instructions shall also specify standard testing and verification methods.

Section 80

Employers shall take the necessary precautions to protect establishments and workers against fire and explosion hazards as well as dangers resulting from the storage, transportation and handling of highly inflammable products. They shall also provide adequate technical material and equipment in accordance with the instructions of the competent authorities.

Section 81

No employer or worker shall authorize any kind of alcohol, illegal or dangerous drugs or psycho-tropic substances to be brought into the work-place, or display any such substances therein, and no person under the influence of alcohol or drugs shall enter or stay on work premises for any reason whatsoever.

Section 82

Workers in an establishment shall abide by the rules, regulations and decisions pertaining to accident prevention, occupational safety and health and the use and maintenance of relevant equipment. They shall also refrain from any act that may undermine the implementation of such rules, decisions or regulations and shall not misuse, damage or spoil such equipment. They shall, otherwise, be liable to disciplinary measures prescribed by the establishment's internal regulations.

Section 83

After consultation with the relevant bodies, the Minister may issue instructions specifying types of work where a person cannot be employed without a medical check-up to certify his physical fitness for such work. Any instructions issued pursuant to this section shall be published in two local daily newspapers and the Official Gazette.

Section 84

- (1) If an employer violates any provisions in this chapter, endangering the workers, establishment or machinery, the Minister may close down the establishment or place of work, totally or partially, or suspend the operation of any machinery therein, until the violation is ceased by the employer.
- (2) The Minister shall not adopt any decision in application of paragraph (1) of this section before notifying the employer to

- cease the violation within a time limit identified in the notice, taking into consideration the gravity of the violation and the danger involved.
- (3) Where an establishment or work-place is closed down or the operation of machinery therein is suspended, the workers' right to receive full remuneration throughout the closure or suspension shall not be undermined.
 - (4) The Minister may institute judicial proceedings before a competent court against the violator who, in such a case, shall be fined no less than one hundred and no more than five hundred Dinars. The fine shall be doubled if the offense is repeated and may not be reduced below the fixed minimum rate for any reason whatsoever.

Section 85

Upon the recommendation of the Minister, the Council of Ministers shall issue the necessary regulations:

- (1) to set up occupational safety and health committees, appoint supervisors for public and private establishments and determine the committees' and supervisors' terms of reference and functions;
- (2) to prescribe appropriate preventive and therapeutic medical care for workers, and the employers' obligations in providing such care, describe the manner in which joint medical units can be created and financed by two or more establishments, specify technical equipment to be found in such units and fix regular medical check-ups for workers.
- (3) to regulate prevention and safety measures in the operation of industrial machinery and at the work-place.

Chapter X: Work Injuries and Occupational Diseases

Section 86

The provisions of this chapter pertaining to work injuries and occupational diseases shall apply to workers not covered by the Social Security Law in force.

Section 87

- (1) If a worker sustains a work injury that results in his death or involves a bodily injury that prevents him from continuing work, the employer shall transport him to a hospital or medical center, notify the competent security authorities of the accident and send notice of the accident to the Ministry within a time limit of 48 hours. The employer shall bear the costs of the worker's transportation to the hospital or medical center for treatment.
- (2) An employer, or manager or representative of an establishment, who violates the provisions of paragraph (1) of this section shall be liable to a fine of no less than one hundred and no more than five hundred Dinars for each offense. The fine shall be doubled if the violation is repeated.

Section 88

Employers shall be responsible for the payment of compensation prescribed by this Code in the case where a worker develops an occupational disease resulting from his work, as certified by a report from the Medical Authority.

Section 89

Subject to the provisions of any other law or statute, the injured worker or his dependents shall not have the right to claim from the employer compensation not prescribed by this Code for a work injury unless it was caused by the employer's fault.

Section 90

- (1) Where a work injury results in the death or total disability of a worker, the employer shall be liable to pay compensation equal to the remuneration payable to the worker for one thousand and two hundred working days, provided that such compensation

shall be no more than five thousand and no less than two thousand Dinars.

- (2) Where a work injury results in the temporary disability of a worker, he shall be entitled to a daily allowance equivalent to 75% of his average daily remuneration, as of the day on which the injury was sustained and throughout the period of treatment, as certified by a report from the Medical Authority, if he is treated by a hospital as an out-patient. His allowance shall be reduced to 65% if he is treated with an approved medical facility.
- (3) Where the work injury results in permanent but partial disability, certified by a report from the Medical Authority, the worker shall be paid compensation in proportion to the degree of disability as compared to compensation for total disability prescribed in Table II of this Code.
- (4) Where a single work injury involves more than one bodily injury, the injured worker shall be entitled to compensation for each bodily injury in accordance with the provisions of this Code, provided that the aggregate amount payable does not exceed the amount payable in the case of total disability.

Section 91

Compensation prescribed by this Code shall be calculated on the basis of the last remuneration received by the worker. Where the worker is paid at a piece-rate, compensation shall be calculated on the basis of his average remuneration over the last six months of work.

Section 92

- (1) Compensation due under this Code shall be assessed upon the request of the employer or the worker or his dependents. In case of failure to reach agreement on compensation due, the Secretary General, in his capacity as workers' compensation commissioner, shall assess the compensation due and shall be deemed a party to any legal action brought thereon. The Minister may appoint other Ministry officials to perform the functions of the workers' compensation commissioner in any region within the Kingdom. Compensation shall be payable as a lump-sum within thirty days from the date on which the parties concerned are notified of the commissioner's assessment decision.
- (2) Payment of compensation under this Code shall not deprive workers or their dependents of their entitlements to end of service indemnities.

- (3) No legal action pertaining to compensation prescribed by this Code shall be heard in court if a claim on the matter is pending before a compensation commissioner.

Section 93

No claim for compensation in respect of any work injury shall be receivable unless it is submitted to a commissioner within two years of the date on which it was sustained or the injured worker died. A commissioner may, however, deem a claim receivable after the expiry of two years from the date on which the injury or death occurred, if there was good cause for the delay in submission, including the fact that the final consequences of the injury were not definitively determined within that period.

Section 94

- (1) Subject to paragraph (2) of this section, the injured worker's rights to daily allowances and financial compensation shall be extinct in the following cases but may be reconfirmed by the findings of an investigation undertaken by the appropriate bodies after hearing the employer or his representative and the worker once he is fit to be heard:
 - (a) where a worker has been injured as a result of his own willful act or gross fault or negligence;
 - (b) where the injury has been caused by the influence of alcohol, drugs or psycho-tropic substances;
 - (c) where the injured worker has violated posted instructions prescribing the treatment of his injury or industrial prevention and security measures to be observed, and where that violation had a bearing on the occurrence of the injury.
- (2) the provisions of paragraph (1) shall not apply in any work injury cases, including the cases mentioned in that paragraph, if the injury results in the death or at least 30% permanent disability of the injured worker. The latter or his dependents shall, in such cases, be paid daily allowances or financial compensation as appropriate.

Section 95

Compensation payable under this Code may in no case be charged or attached except for payment of alimony, in which case only a third of the amount of compensation may be charged or attached.

Compensation payable under this Code may further not be assigned to any person other than the worker himself or his dependents and no claim may be set off against it after the death of the worker.

Section 96

Subject to the provisions of section 95 of this Code, compensation payable on the death of a worker shall be apportioned among his dependents in the manner specified in Table III of this Code.